



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

**HB0495**

Introduced 2/4/2009, by Rep. Sidney H. Mathias

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/3-14.20	from Ch. 122, par. 3-14.20
105 ILCS 5/3-14.21	from Ch. 122, par. 3-14.21

Amends the School Code. Provides that the regional superintendent of schools shall (1) oversee inspections of (rather than inspect) building plans and specifications submitted by school boards and (2) oversee inspections (rather than inspect) all public schools under his or her supervision. Provides that all inspections for construction and like activities shall be conducted by independent third parties not associated with the school's design or construction. Provides that such third party inspectors shall have a minimum of 6,000 hours of relevant training. Effective immediately.

LRB096 04716 NHT 17740 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections  
5 3-14.20 and 3-14.21 as follows:

6 (105 ILCS 5/3-14.20) (from Ch. 122, par. 3-14.20)

7 Sec. 3-14.20. Building plans and specifications. To  
8 oversee inspections of ~~inspect~~ the building plans and  
9 specifications, including but not limited to plans and  
10 specifications for the heating, ventilating, lighting,  
11 seating, water supply, toilets and safety against fire of  
12 public school rooms and buildings submitted to him by school  
13 boards, and to approve all those which comply substantially  
14 with the building code authorized in Section 2-3.12. All  
15 inspections for construction and like activities shall be  
16 conducted by independent third parties not associated with the  
17 school's design or construction. Such third party inspectors  
18 shall have a minimum of 6,000 hours of relevant training.

19 If a municipality or, in the case of an unincorporated  
20 area, a county or, if applicable, a fire protection district  
21 wishes to be notified of plans and specifications received by a  
22 regional office of education for any future construction or  
23 alteration of a public school facility located within that

1 entity's jurisdiction, then the entity must register this wish  
2 with the regional superintendent of schools. Within 10 days  
3 after the regional superintendent of schools receives the plans  
4 and specifications from a school board and prior to the bidding  
5 process, he or she shall notify, in writing, the registered  
6 municipality and, if applicable, the registered fire  
7 protection district where the school that is being constructed  
8 or altered lies that plans and specifications have been  
9 received. In the case of an unincorporated area, the registered  
10 county shall be notified. If the municipality, fire protection  
11 district, or county requests a review of the plans and  
12 specifications, then the school board shall submit a copy of  
13 the plans and specifications. The municipality and, if  
14 applicable, the fire protection district or the county may  
15 comment in writing on the plans and specifications based on the  
16 building code authorized in Section 2-3.12, referencing the  
17 specific code where a discrepancy has been identified, and  
18 respond back to the regional superintendent of schools within  
19 15 days after a copy of the plans and specifications have been  
20 received or, if needed for plan review, such additional time as  
21 agreed to by the regional superintendent of schools. This  
22 review must be at no cost to the school district.

23 If such plans and specifications are not approved or denied  
24 approval by the regional superintendent of schools within 3  
25 months after the date on which they are submitted to him or  
26 her, the school board may submit such plans and specifications

1 directly to the State Superintendent of Education for approval  
2 or denial.

3 (Source: P.A. 94-225, eff. 7-14-05.)

4 (105 ILCS 5/3-14.21) (from Ch. 122, par. 3-14.21)

5 Sec. 3-14.21. Inspection of schools.

6 (a) The regional superintendent shall oversee the  
7 inspection ~~inspect~~ and survey all public schools under his or  
8 her supervision and notify the board of education, or the  
9 trustees of schools in a district with trustees, in writing  
10 before July 30, whether or not the several schools in their  
11 district have been kept as required by law, using forms  
12 provided by the State Board of Education which are based on the  
13 Health/Life Safety Code for Public Schools adopted under  
14 Section 2-3.12. All inspections for construction and like  
15 activities shall be conducted by independent third parties not  
16 associated with the school's design or construction. Such third  
17 party inspectors shall have a minimum of 6,000 hours of  
18 relevant training. The regional superintendent shall report  
19 his or her findings to the State Board of Education on forms  
20 provided by the State Board of Education.

21 (b) If the regional superintendent determines that a school  
22 board has failed in a timely manner to correct urgent items  
23 identified in a previous life-safety report completed under  
24 Section 2-3.12 or as otherwise previously ordered by the  
25 regional superintendent, the regional superintendent shall

1 order the school board to adopt and submit to the regional  
2 superintendent a plan for the immediate correction of the  
3 building violations. This plan shall be adopted following a  
4 public hearing that is conducted by the school board on the  
5 violations and the plan and that is preceded by at least 7  
6 days' prior notice of the hearing published in a newspaper of  
7 general circulation within the school district. If the regional  
8 superintendent determines in the next annual inspection that  
9 the plan has not been completed and that the violations have  
10 not been corrected, the regional superintendent shall submit a  
11 report to the State Board of Education with a recommendation  
12 that the State Board withhold from payments of general State  
13 aid due to the district an amount necessary to correct the  
14 outstanding violations. The State Board, upon notice to the  
15 school board and to the regional superintendent, shall consider  
16 the report at a meeting of the State Board, and may order that  
17 a sufficient amount of general State aid be withheld from  
18 payments due to the district to correct the violations. This  
19 amount shall be paid to the regional superintendent who shall  
20 contract on behalf of the school board for the correction of  
21 the outstanding violations.

22 (c) The Office of the State Fire Marshal or a qualified  
23 fire official, as defined in Section 2-3.12 of this Code, to  
24 whom the State Fire Marshal has delegated his or her authority  
25 shall conduct an annual fire safety inspection of each school  
26 building in this State. The State Fire Marshal or the fire

1 official shall coordinate its inspections with the regional  
2 superintendent. The inspection shall be based on the fire  
3 safety code authorized in Section 2-3.12 of this Code. Any  
4 violations shall be reported in writing to the regional  
5 superintendent and school board and shall reference the  
6 specific code sections where a discrepancy has been identified  
7 within 15 days after the inspection has been conducted. The  
8 regional superintendent shall address those violations that  
9 are not corrected in a timely manner pursuant to subsection (b)  
10 of this Section. The inspection must be at no cost to the  
11 school district.

12 (d) If a municipality or, in the case of an unincorporated  
13 area, a county or, if applicable, a fire protection district  
14 wishes to perform new construction inspections under the  
15 jurisdiction of a regional superintendent, then the entity must  
16 register this wish with the regional superintendent. These  
17 inspections must be based on the building code authorized in  
18 Section 2-3.12 of this Code. The inspections must be at no cost  
19 to the school district.

20 (Source: P.A. 94-225, eff. 7-14-05; 94-973, eff. 1-1-07.)

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.